



കേരള ഗസറ്റ് KERALA GAZETTE

അസാധാരണം EXTRAORDINARY

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14th March 2025
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നമ്പർ
No. 962

SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. KLS/ 16143/2024-Legn.1

Dated, Thiruvananthapuram, 14 March , 2025.

The Subject Committee report on The Kerala Industrial Infrastructure Development (Amendment) Bill, 2024 and the Bill as reported by the Subject Committee is published, under rule 231(1) read with 237(3) of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

Dr. N. Krishna Kumar,
Secretary.



**THE KERALA INDUSTRIAL INFRASTRUCTURE DEVELOPMENT
(AMENDMENT) BILL, 2024**

(Report of the Subject Committee)

The Kerala Industrial Infrastructure Development (Amendment) Bill, 2024 (Bill No. 230) was referred to Subject Committee IV (Industry & Minerals). Subject Committee IV considered the Bill clause by clause and now submit this Report with the Bill as reported by the Subject Committee annexed thereto.

2. The Kerala Industrial Infrastructure Development (Amendment) Bill, 2024 was published as a Gazette Extraordinary dated 26-12-2024. The Bill was Introduced in the Assembly on 13th February, 2025 and was referred to the Subject Committee IV on the same day.

3. The Committee considered the Bill clause by clause at the meeting held on 13th February, 2025. The Committee recommends to adopt the Bill with the following modifications:—

Enacting Formula

For the words and symbol “Seventy-fifth”, the words and symbol “Seventy-sixth” shall be substituted.

Clause 1

In sub-clause (1), for the figure “2024”, the figure “2025” shall be substituted.

Clause 2

After sub-section (7) proposed to be inserted in section 22 of the principal Act, the following notes shall be inserted, namely:—

“Note-1: For the purpose of this sub-section, the expression “industrial unit” means any industrial unit established by an entrepreneur or allottee under an agreement with the Corporation in the land owned by the Corporation.

Note-2: For the purpose of this sub-section, the expression “undertaking” means any building, plant and machinery or any other assets of the industrial unit established by an entrepreneur or allottee under an agreement with the Corporation in the land owned by the Corporation.”.

Clause 3

In section 30 of the principal Act,—

(i) in sub-section (1) proposed to be amended by sub-clause (i) for the words and symbol “shall be liable to a fine, as may be prescribed” the words and symbols “shall be liable to a fine, which shall not be less than ten thousand rupees but may extend to fifty thousand rupees, subject to such conditions as may be prescribed” shall be substituted;

(ii) in sub-section (2) proposed to be amended by sub-clause (ii) for the words and symbol “shall be liable to a fine, as may be prescribed” the words and symbols “shall be liable to a fine, which shall not be less than ten thousand rupees but may extend to fifty thousand rupees, subject to such conditions as may be prescribed” shall be substituted.

Clause 6

In section 45 of the principal Act, proposed to be amended by clause 6, for the words and symbol “shall be liable to a fine, as may be prescribed” the words and symbols “shall be liable to a fine, which shall not be less than ten thousand rupees but may extend to fifty thousand rupees, subject to such conditions as may be prescribed” shall be substituted.

Clause 7

In section 46 of the principal Act, proposed to be amended by clause 7, for the words and symbol “ he shall be liable to a fine, as may be prescribed” the words and symbols “ he shall be liable to a fine, which shall not be less than ten



thousand rupees but may extend to fifty thousand rupees, subject to such conditions as may be prescribed” shall be substituted.

Clause 8

In section 47 of the principal Act, proposed to be amended by clause 8, for the words and symbol “he shall be liable to a fine, as may be prescribed” the words and symbols “he shall be liable to a fine, which shall not be less than ten thousand rupees but may extend to fifty thousand rupees, subject to such conditions as may be prescribed” shall be substituted.

Clause 9

In section 48 of the principal Act, proposed to be amended by clause 9, for the words and symbol “shall be liable to a fine, as may be prescribed” the words and symbols “shall be liable to a fine, which shall not be less than ten thousand rupees but may extend to fifty thousand rupees, subject to such conditions as may be prescribed” shall be substituted.

Clause 10

In section 48A proposed to be incorporated by clause 10,—

- (i) in the marginal heading, the words “of Government” shall be omitted;
 - (ii) in sub-section (1), for the words “the Government may designate” the words and symbols “the Government may, by notification in the Gazette, designate” shall be substituted;
 - (iii) in sub-section (3), the words “to be designated by the Government in this behalf” shall be omitted.
4. All other changes are either verbal or consequential.
5. The Minutes of dissent is appended.

Thiruvananthapuram
12th March 2025.

P. RAJEEVE,
Chairperson
Subject Committee IV



വിയോജനക്കുറിപ്പ്

സംസ്ഥാനത്ത് ബിസിനസ് സംരംഭങ്ങൾ ഫലപ്രദമായി നടപ്പാക്കുന്നതിന് വേണ്ടി കേരള നിയമപരിഷ്കരണ കമ്മീഷൻ ശുപാർശ ചെയ്ത പ്രകാരം 1993-ലെ കേരള വ്യാവസായിക അടിസ്ഥാന സൗകര്യ വികസന ആക്റ്റിലെ നിലവിലുള്ള ശിക്ഷാവിധിവിധികൾക്ക് പകരം പിഴ ശിക്ഷ ചുമത്തുവാനുള്ള വ്യവസ്ഥകളാണ് ബില്ലിൽ ഉൾപ്പെടുത്തിയിരിക്കുന്നത്. കൂടാതെ കേരള വ്യാവസായിക അടിസ്ഥാന സൗകര്യ വികസന കോർപ്പറേഷനിൽ ഏതെങ്കിലും തരത്തിലുള്ള കുടിശ്ശികകൾ അടയ്ക്കാത്തതിന്റെ പേരിൽ ആക്റ്റിലെ വകുപ്പ് 22(5) പ്രകാരം കോമ്പീറ്റന്റ് അതോറിറ്റി ഏറ്റെടുക്കുന്ന വ്യവസായ യൂണിറ്റിന്റെ ആസ്തികൾ വിലപന നടത്തി കുടിശ്ശിക ഈടാക്കുന്നതിന് കോർപ്പറേഷന് അധികാരം നൽകുന്നതിനുള്ള വ്യവസ്ഥയും ഉൾപ്പെടുത്തിയിരിക്കുന്നു.

സംരംഭക വർഷം പദ്ധതിയിൽ തുടങ്ങിയ 25% സംരംഭങ്ങളും ഒരു വർഷം കൊണ്ട് പൂട്ടിയതായി വ്യവസായ വകുപ്പ് വിവരാവകാശ നിയമപ്രകാരം വെളിപ്പെടുത്തിയിട്ടുള്ള സാഹചര്യത്തിൽ, വ്യവസായ സൗഹൃദ അന്തരീക്ഷം സൃഷ്ടിക്കുന്നതിനായി നിയമനിർമ്മാണം നടത്തുമ്പോഴും പ്രായോഗികതലത്തിൽ സംരംഭകർക്ക് പ്രോത്സാഹനം നൽകുന്നതിനും സംരംഭങ്ങളെ നിലനിർത്തുന്നതിനും അനുകൂലമായ രീതിയിൽ ആയത് നടപ്പാക്കുവാൻ സാധിക്കുന്നില്ല എന്നത് വ്യക്തമാണ്. Ease of doing Business സംബന്ധിച്ച നിയമ ഭേദഗതികൾ ഫലപ്രദമായി നടപ്പാക്കുവാൻ സാധിക്കാത്തതിനാൽ ബില്ലിനോട് വിയോജിപ്പ് രേഖപ്പെടുത്തുന്നു.

മഞ്ഞളാംകുഴി അലി

(ഒപ്പ്)

പി. സി. വിഷ്ണുനാഥ്

(ഒപ്പ്)



APPENDIX II

THE KERALA INDUSTRIAL INFRASTRUCTURE DEVELOPMENT (AMENDMENT) BILL, 2024

(As Reported by the Subject Committee)

[The words underlined/sidelined indicate the modifications Suggested by the Committee. Omissions are indicated by asterisks]

A

BILL

to amend the Kerala Industrial Infrastructure Development Act, 1993.

Preamble.—WHEREAS, it is expedient to amend the Kerala Industrial Infrastructure Development Act, 1993 for the purposes hereinafter appearing;

BE it enacted in the Seventy-Sixth year of the Republic of India, as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Kerala Industrial Infrastructure Development (Amendment) Act, 2025.

(2) It shall come into force at once.

2. *Amendment of section 22.*— In the Kerala Industrial Infrastructure Development Act, 1993 (3 of 1993) (hereinafter referred to as the principal Act), in section 22, after sub-section (6) and before explanation the following sub-section shall be inserted, namely:—

“(7) If the competent authority has taken possession of the premises under sub-section (5) and the person has failed to make outstanding payment to the Corporation, the competent authority shall issue a notice calling upon him to make the payment and in case the person fails to do so within the time allowed by the competent authority, the Kerala Industrial Infrastructure Development Corporation shall take such action as deemed necessary on the assets of the industrial unit including transfer of undertaking along with the assets to another willing purchaser after conducting a valuation of assets by an independent approved valuer and sell the assets for realisation of the dues to the Corporation.

Note-1:For the purpose of this sub-section, the expression “ industrial unit” means any industrial unit established by an entrepreneur or allottee under an agreement with the Corporation in the land owned by the Corporation.

Note-2:For the purpose of this sub-section, the expression “undertaking” means any building, plant and machinery or any other assets of the industrial unit established by an entrepreneur or allottee under an agreement with the Corporation in the land owned by the Corporation.”.

3. *Amendment of section 30.*— In the principal Act, in section 30,—

(i) in sub-section (1), for the words and symbols “shall, on conviction, be punished with fine which may extend to ten thousand rupees” the words and symbols “shall be liable to a fine, which shall not be less than ten thousand rupees but may extend to fifty thousand rupees, subject to such conditions as may be prescribed” shall be substituted;



(ii) in sub-section (2), for the words “shall be punished with fine which may extend to five thousand rupees” the words and symbols “shall be liable to a fine, which shall not be less than ten thousand rupees but may extend to fifty thousand rupees, subject to such conditions as may be prescribed” shall be substituted.

4. *Omission of section 42.*— Section 42 of the principal Act shall be omitted.

5. *Omission of section 43.*— Section 43 of the principal Act shall be omitted.

6. *Amendment of section 45.*— In the principal Act, in section 45, for the words and symbols “shall, on conviction, be punished with simple imprisonment for a term which may extend to three months or with fine which may extend to three thousand rupees or with both” the words and symbols “shall be liable to a fine, which shall not be less than ten thousand rupees but may extend to fifty thousand rupees, subject to such conditions as may be prescribed” shall be substituted.

7. *Amendment of section 46.*— In the principal Act, in section 46, for the words and symbols “he shall, on conviction, be punished with imprisonment for a term which may extend to three months or with fine which may extend to three thousand rupees or with both” the words and symbols “he shall be liable to a fine, which shall not be less than ten thousand rupees but may extend to fifty thousand rupees, subject to such conditions as may be prescribed” shall be substituted.

8. *Amendment of section 47.*— In the principal Act, in section 47, for the words and symbols “he shall, on conviction, be punished with simple imprisonment for a term which may extend to three months or with fine which may extend to five hundred rupees or with both” the words and symbols “he shall be liable to a fine, which shall not be less than ten thousand rupees but may extend to fifty thousand rupees, subject to such conditions as may be prescribed” shall be substituted.

9. *Amendment of section 48.*— In the principal Act, in section 48, for the words and symbols “shall, on conviction, be punished with fine which may extend to one thousand rupees” the words and symbols “shall be liable to a fine, which shall not be less than ten thousand rupees but may extend to fifty thousand rupees, subject to such conditions as may be prescribed” shall be substituted.

10. *Insertion of new section 48A.*— After section 48 of the principal Act, the following section shall be inserted, namely:—

“48A. *Power of Officers (***) to impose fine.*— (1) For the purpose of imposing fine provided under sections 30, 45, 46, 47 and 48 of this Act, the Government may, by notification in the Gazette, designate an officer not below the rank of a General Manager of the Corporation and he shall impose a fine as provided under this Act, after holding an enquiry in the manner, as may be prescribed.

(2) While holding enquiry, the officer shall have the power to summon and enforce attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document, which in the opinion of the officer, may be useful or relevant to the subject matter of the enquiry and if on such enquiry he is satisfied that the person has committed the offence, he shall impose a fine as provided under this Act.

(3) Any person aggrieved by an order made by the officer under sub-section (2) may prefer an appeal in such form and in such manner with such fee, as may be prescribed, before the appellate authority, who shall be the Managing Director of the Corporation, (***) within thirty days from the date on which such order is communicated to him:

Provided that the appellate authority may entertain the appeal after the expiry of the said period of thirty days, if such authority is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.



(4) The appellate authority may after giving the parties to the appeal an opportunity of being heard, pass such order as he thinks fit, confirming, modifying or setting aside the order appealed against, within a period of sixty days from the date of receipt of the appeal.”.

Kerala Legislature Secretariat
Thiruvananthapuram
2025, February 13

Dr. N. Krishna Kumar,
Secretary.

